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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,541	09/26/2001	Umesh Madan	4444P006	3736

8791 7590 03/30/2004

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EXAMINER

KINDRED, ALFORD W

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 03/30/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/965,541

Applicant(s)

MADAN ET AL.

Examiner

Alford W. Kindred

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is responsive to amendment A, filed on 01/26/04.

This action is made final.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4-6, 8-9, 12-14, 16-17, 20-22, 24-25, 28-30, and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Chin et al., US# 2001/002455 A1.

As per claim 1, Chin et al. teaches “converting a search term in a search request to one or more canonical phonetic forms” (see paragraph [0164]) “performing a phonetic keyword search for each canonical phonetic form of the search term” (see page 3, paragraph [0041] and page 9, paragraph 164) “generating an indication of search results based, at least in part, on the phonetic keyword search” (see page 16, paragraph [0263] and [0264]).

As per claims 4-6, Chin et al. teaches “search the canonical phonetic forms of keywords for one or more of the canonical phonetic forms to the search term” (see page 16, paragraph [0164] and page 7, paragraphs [0124] and [0129]).

As per claim 8, Chin et al. teaches "displaying a product corresponding to the search results" (see page 6, paragraph [0113] and [0114], whereas Chin's Browser displays data in a manner similar to applicant's claim language).

As per claims 9 and 12-14, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-8 and are similarly rejected.

As per claims 17 and 20-22, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-8 and are similarly rejected.

As per claims 25 and 28-30, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-8 and are similarly rejected.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-3, 7, 10-11, 15, 18-19, 23, 26-27 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al., in view of Komissarchik et al., US# 5,799,276.

As per claims 2, Chin et al. teaches "generating one or more canonical phonetic forms of the search term based, at least in part, on the one or more canonical representations" (see page 9, paragraph [0166]). Chin et al. does not explicitly teach "identifying one or more diphthongs within the search term . . . determining . . .".

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Komissarchik et al. teaches "identifying one or more diphthongs within the search term . . . determining . . ." (see col. 83, lines 53-65). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Komissarchik and Chin above, because using the steps of "identifying one or more diphthongs within the search term . . . determining . . .", would have given those skilled in the art the tools to implement diphthongs in regards to searching data based on a phonetic elements.

As per claims 3, Chin et al. teaches "determining whether any canonical representations exist from one or more letters within the search term" (see page 7, paragraph [0124] and page 9, paragraph [0164]) "including the one or more canonical phonetic forms of the search term any canonical representation for the one or more letters" (page 16, paragraph [0263] and page 9, paragraph [0165]).

As per claim 7, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 1-2 and are similarly rejected.

As per claims 10-11 and 15, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 2-3 and 7 and are similarly rejected.

As per claims 18-19, 23, 26-27, and 32, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 2-3 and 7 and are similarly rejected.

***Response to Arguments***

6. Applicant's arguments filed 1/26/04 been fully considered but they are not persuasive.

--As per applicant's arguments regarding "there is no mention of canonical phonetic forms in Chin . . .", examiner maintains that Chin's teachings of text translations using canonical phrases, includes a phonetic element as implied in applicant's claim language and therefore the rejection is maintained.

--As per applicant arguments regarding "Komissarchik still fails to disclose determining one or more canonical representations for the diphthongs . . .", examiner maintains that Komissarchik's teachings of a speech recognition combined with the diphthongs teachings and further combined with Chin's teachings of text translations, teaches applicant's claim language of determining one or more representation of diphthongs as illustrated in applicant's claim language.

***Conclusion***

**7. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

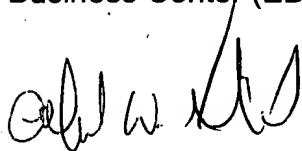
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 703-305-3802. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Alford W. Kindred', is written over the printed name.

Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100